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7th of November, 2025

**SOUTH CAROLINA COURT OF APPEALS
CLERK OF COURT**

COLUMBIA SOUTH CAROLINA, 29201
TRANSCRIPTS@SCCOURTS.ORG
CTAPPFILINGS@SCCOURTS.ORG

RECEIVED

Nov 07 2025

SC Court of Appeals

Re: Appellate case No. 2025-002095

Dear Ms Harrison,

Thank you for your 2nd correspondence for deficiency dated November 5th, 2025. Below of that statements of deficiency along with my response:

- **The notice of appeal is incorrectly formatted. Your notice of appeal should not include argument. You must serve and file a second amended notice of appeal pursuant to Rule 203(e)(1), SCACR substantially in the format shown by Form 1 in Appendix C to part II of the SCACR. A copy of the example Form 1 is attached for your convenience.**

Response: Please see Rule 25(a)(4) [formally Rule 5e] Clerks Refusal of Documents, which states the following:

(4) Clerk's Refusal of Documents. The clerk must not refuse to accept for filing any paper presented for that purpose solely because it is not presented in proper form as required by these rules or by any local rule or practice.

The Constitution of the United States is the overarching requirement that every state must follow. States are not able to enact their own alternative legislation, policy or rules that would substitute for the guarantees of the Constitution. That would mean that South Carolina law, policies or rules are more powerful than the Constitution, and that is unlawful. Article 1 section 10 states that no state shall create no law that impair the obligation of contracts.

Rule 17 states that ALL public officers are under contract. This includes but is not limited to judges, Clerk of court, and attorneys. Their contract is with " We the People" to perform based on the oath and or affirmation that each one took to the Constitution of the United States. So when a state judge, clerk of court, or attorney enacts or follows inferior law, policy, procedure or rules, they disobey the supreme law of this land, and would be a violation of Article 1 section 10.

The 14th amendment is the other place it restricts the states from creating or enforcing any law that shall abridge the privileges of immunities of United States Citizens.

Requirements of the Clerk of Court are strictly administrative and ministerial duties. Please accept this public notice that it is the unauthorized practice of law or UPL, for the clerk or deputy clerk to make decisions about proper form. Enforcement of Rules about proper form can only be addressed by the Judge. South Carolina Rules of Appellate Civil Procedure that oppose FEDERAL constitutional due process and proper checks and balances, do not override those rights. Please accept this as public notice.

Legally speaking, a Judge would need to file an order to bring the Notice of Appeal to proper form. In order to move the process along, I have included an amended Notice of appeal using the example appendix form you provided. This despite the request being made unlawfully and unconstitutionally. Additionally, the example appendix does **NOT INCLUDE** all of the components listed in Rule 203 for proper form.

A 3rd correspondence was also sent November 5th, 2025 by the Clerk of Court regarding ordering the transcript. Please see attached documentation as to the timely ordering of the transcript. I have applied for IFP status and can not afford to purchase the transcript, thus included with this letter is a Motion to the Court to waive or cover the transcript fees.

In Justice,

Alexis Carberry

